

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)		TELEPHONE NUMBER	FOR COURT USE ONLY	
TIMOTHY BLACKFORD SBN 190900				
DLA PIPER RUDNICK GRAY CARY		619-699-2700		
US LLP				
401 B STREET, SUITE 1700		Ref. No. or File No.		
SAN DIEGO CA 92101				
ATTORNEY FOR PLAINTIFF				
Insert name of court and name of judicial district and branch if any.				
District Court Southern District, San Diego				
880 Front St #4290 San Diego CA 92101				
SHORT TITLE OF CASE:				
MAIL BOXES ETC., INC. AND UNITED v UNITED POSTAL BUSINESS CENTER, ETC.				
INVOICE NO.	DATE:	TIME:	DEP./DIV.	CASE NUMBER:
657116				CV1383LABBLM

UNITED STATES DISTRICT COURT
DECLARATION OF SERVICE

I CERTIFY THAT I AM AUTHORIZED TO SERVE THE SUMMONS AND COMPLAINT IN THE WITHIN ACTION PURSUANT TO F.R.Civ.P 4(c) AND THAT I SERVED THE:

SUMMONS
COMPLAINT
TRO APPLICATION

ON: STANLEY CHAN

IN THE ABOVE MENTIONED ACTION BY DELIVERING TO AND LEAVING WITH THE PERSON HEREINAFTER NAMED, A COPY THEREOF, AT:
133 ESTUDILLO AVE
SAN LEANDRO CA 94577
ON: 08/11/08 AT: 11:32 AM

COPIES WERE LEFT AT THE DEFENDANT'S DWELLING HOUSE OR USUAL PLACE OF ABODE OR BUSINESS WITH A PERSON OF SUITABLE AGE AND DISCRETION.

NAME OF PERSON WITH WHOM THE DOCUMENTS WERE LEFT:
THOMAS BRIGGS
WHOSE RELATIONSHIP/TITLE IS: EMPLOYEE

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING INFORMATION CONTAINED IN THE RETURN OF SERVICE AND STATEMENT OF SERVICE FEES IS TRUE AND CORRECT.

PERSON SERVING: Nykira Duplessis

FEE FOR SERVICE: 248.80

RAPID LEGAL INC.
1199 MONTEREY PASS ROAD
MONTEREY PARK, CA 91754
323-526-7300 FAX 323-526-7377

d. Registered California process server
(1) ☐ Employee or ☒ Independent Contractor
(2) Registration No. 1040
(3) County: ALAMEDA
(4) Expiration: 02/07/10

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATE: 08/12/08

SIGNATURE



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TIMOTHY BLACKFORD SBN 190900		619-699-2700		
DLA PIPER RUDNICK GRAY CARY US LLP		Ref. No. or File No.		
401 B STREET, SUITE 1700 SAN DIEGO CA 92101				
ATTORNEY FOR PLAINTIFF				
Insert name of court and name of judicial district and branch if any.				
District Court Southern District, San Diego 880 Front St #4290 San Diego CA 92101				
SHORT TITLE OF CASE:				
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657116				CV1383LABBLM

DECLARATION OF REASONABLE DILIGENCE

PERSON TO SERVE: STANLEY CHAN

DOCUMENTS RECEIVED:

SUMMONS

COMPLAINT

TRO APPLICATION

I DECLARE THE FOLLOWING ATTEMPTS WERE MADE TO EFFECT PERSONAL SERVICE:

At the residence address: 25009 CENTURY OAKS CIRCLE
CASTRO VALLEY CA 94552

08/06/08 6:10 PM NO ANSWER. NO CARS IN DRIVE WAY. NO LIGHTS
08/06/08 -- ON. MAIL STILL IN MAILBOX.
08/06/08 9:46 AM NO ANSWER. NO CARS IN DRIVE WAY. NO LIGHTS
08/06/08 -- ON. MAIL STILL IN MAILBOX.
08/07/08 7:22 PM NO ANSWER. NO CARS IN DRIVE WAY. NO LIGHTS ON
08/08/08 1:26 PM NO ANSWER

PERSON ATTEMPTING SERVICE: Nytira Duplessis

RAPID LEGAL INC.
1199 MONTEREY PASS ROAD
MONTEREY PARK, CA 91754
323-526-7300 FAX 323-526-7377

d. Registered California process server
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DATE: 08/12/08

SIGNATURE



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DLA PIPER RUDECK GRAY CARY		619-699-2700		
US LLP				
401 B STREET, SUITE 1700		Ref. No. or File No.		
SAN DIEGO CA 92101				
ATTORNEY FOR PLAINTIFF				
Insert name of court and name of judicial district and branch if any.				
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INVOICE NO.	DATE:	TIME:	DEP./DIV.	CASE NUMBER:
657116				CV1383LABBLM

DECLARATION OF REASONABLE DILIGENCE

PERSON TO SERVE: STANLEY CHAN

DOCUMENTS RECEIVED:

SUMMONS

COMPLAINT

TRO APPLICATION

I DECLARE THE FOLLOWING ATTEMPTS WERE MADE TO EFFECT PERSONAL SERVICE:

At the business address: 133 ESTUDILLO AVE

SAN LEANDRO CA 94577

08/07/08 1:00 PM PER THOMAS - EMPLOYEE, STANLEY CHAN WILL NOT
08/07/08 -- BE IN TODAY. THOMAS CALLED THE PLEASANT HILL
08/07/08 -- OFFICE AND THEY SAID THAT HE WILL NOT BE IN
08/07/08 -- THAT OFFICE AS WELL.
08/09/08 9:00 AM NOT OPEN ON SATURDAYS
08/10/08 11:56 AM NOT OPEN ON SUNDAYS
08/11/08 11:32 AM SUBSERVED ON THOMAS BRIGGS

PERSON ATTEMPTING SERVICE: Nykira Duplessis

RAPID LEGAL INC.
1199 MONTEREY PASS ROAD
MONTEREY PARK, CA 91754
323-526-7300 FAX 323-526-7377

d. Registered California process server
(1) ☐ Employee or ☒ Independent Contractor
(2) Registration No. 1040
(3) County: ALAMEDA
(4) Expiration: 02/07/10

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATE: 08/12/08

SIGNATURE



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)		TELEPHONE NUMBER	FOR COURT USE ONLY	
TIMOTHY BLACKFORD SBN 190900				
DLA PIPER RUDNICK GRAY CARY		619-699-2700		
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401 B STREET, SUITE 1700		Ref. No. or File No.		
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PROOF OF SERVICE BY MAIL

I AM A CITIZEN OF THE UNITED STATES AND EMPLOYED IN THE COUNTY OF LOS ANGELES STATE OF CALIFORNIA. I AM AND WAS ON THE DATES HEREIN MENTIONED, OVER THE AGE OF EIGHTEEN YEARS AND NOT A PARTY TO THE ACTION.
ON 08/12/08 AFTER SUBSTITUTED SERVICE UNDER SECTION 415.20(a) OR 415.20(b)

C.C.P., WAS MADE, I SERVED THE WITHIN:

SUMMONS
COMPLAINT
TRO APPLICATION

ON THE DEFENDANT, IN SAID ACTION BY PLACING A TRUE COPY THEREOF ENCLOSED IN A SEALED ENVELOPE WITH POSTAGE THEREON PRE-PAID FOR FIRST CLASS IN THE UNITED STATES MAIL AT: OAKLAND, CALIFORNIA, ADDRESSED AS FOLLOWS:

STANLEY CHAN

133 ESTUDILLO AVE
SAN LEANDRO CA 94577

DECLARANT: Layla Silvestre

RAPID LEGAL INC.
1199 MONTEREY PASS ROAD
MONTEREY PARK, CA 91754
323-526-7300 FAX 323-526-7377

- d. Registered California process server
(1) ☒ Employee or ☐ Independent Contractor
(2) Registration No. 08-1047
(3) County: SAN FRANCISCO
(4) Expiration:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATE: 08/12/08

SIGNATURE

Layla Silvestre

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

MAIL BOXES ETC., INC. and UNITED PARCEL
SERVICE OF AMERICA, INC. *Plaintiffs*

vs

UNITED POSTAL BUSINESS CENTER, JOSEPH
CHAN, individually; STANLEY CHAN,
individually *Defendants*

SUMMONS IN A CIVIL ACTION

Case No.

'08 CV 1383 LAB BLM

TO

Stanley Chan
25009 Century Oaks Circle
Castro Valley, CA 94552

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and
serve upon PLAINTIFF'S ATTORNEY

Timothy S. Blackford
DLA Piper US LLP
401 B Street, Suite 1700
San Diego, CA 92101-4297

An answer to the complaint which is herewith served upon you, within 20 days after
service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment
by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr.

JUL 30 2008

CLERK

DATE

By

K. HAMRICK

, Deputy Clerk

RETURN OF SERVICE				
Service of the Summons and Complaint was made by me			DATE	
NAME OF SERVER			TITLE	
Check one box below to indicate appropriate method of service				
<div style="display: flex; flex-direction: column; gap: 10px;"> <div> <input type="checkbox"/> Served personally upon the defendant. Place where served: _____ </div> <div> <input type="checkbox"/> Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein: Name of person with whom the summons and complaint were left: _____ </div> <div> <input type="checkbox"/> Return unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div> </div>				
STATEMENT OF SERVICE FEES				
TRAVEL		SERVICES	TOTAL	
DECLARATION OF SERVER				
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.</p> <p>Executed on: _____</p> <div style="display: flex; justify-content: space-between; width: 80%; margin: 0 auto;"> Date Signature of Server </div> <div style="text-align: center; margin-top: 10px;"> Address of Server </div>				
NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE				
<p>IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. <u>COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.</u></p> <p>YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.</p> <p>JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.</p>				

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure